

BERGER | HARRIS

ROBERT D. TERRY, ESQUIRE
C/O STEPHEN PARKER/PAGE PERRY, LLC
1040 CROWN POINTE PARKWAY, STE 1050
ATLANTA, GA 30338

STATEMENT DATE: Oct. 31, 2012
STATEMENT NO. 4170
ACCOUNT NO. 99308.00
PAGE 1

RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS
10/11/2012	JH CONFER WITH D. ANTHONY REGARDING BACKGROUND AND CERTAIN LEGAL ISSUES; FOLLOW-UP CONFERENCE WITH D. ANTHONY REGARDING SAME; TELEPHONE CALL WITH S. PARKER REGARDING SAME; SEVERAL E-MAILS TO/FROM S. PARKER.	
	DA REVIEWING PLEADINGS AND FILINGS FORWARDED BY CLIENT; CONFERENCE CALL WITH CO-COUNSEL TO DISCUSS STRATEGY MOVING FORWARD	1.00
		1.20
10/12/2012	JH NUMEROUS INTERNAL/EXTERNAL COMMUNICATIONS REGARDING "REMOVAL" EXTENSION OF TIME TO RESPOND TO COMPLAINT PLUS OTHER OPEN ISSUES.	0.50
10/16/2012	DA RESEARCHING JURISDICTIONAL BASIS FOR REMOVING CASE TO FEDERAL COURT AND TRANSFERRING CASE TO GEORGIA	3.50
10/17/2012	JH CONFER WITH D. ANTHONY REGARDING REMOVAL/TRANSFER ISSUES; NUMEROUS COMMUNICATIONS WITH S. PARKER; TELEPHONE CALLS WITH PLAINTIFF'S COUNSEL; E-MAILS TO/FROM PLAINTIFF'S COUNSEL; FOLLOW-UP CONFERENCE WITH D. ANTHONY REGARDING REMOVAL ISSUE.	0.60
10/18/2012	JH CONFER WITH D. ANTHONY REGARDING REMOVAL PETITION; REVIEW DRAFT PETITION.	0.50
	DA DRAFTING NOTICE OF REMOVAL AND REMOVAL PETITION	4.50

1201 N. ORANGE STREET, 3RD FLOOR * WILMINGTON, DELAWARE 19801 * PHONE 302.655.1140 * FAX 302-655-1131

FEDERAL ID: 27-0899558

Exhibit "D"

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99308-00M
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4170

TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

		HOURS
10/19/2012	JH CONFER WITH D. ANTHONY REGARDING REMOVAL ISSUE; TELEPHONE CALL WITH S. PARKER REGARDING SAME; SEVERAL EXTERNAL E-MAILS REGARDING SAME.	0.80
	DA PHONE CALL WITH CO-COUNSEL REGARDING BASIS FOR REMOVAL; RESEARCHING SAME	1.80
10/23/2012	MN FILE ENTRY OF APPEARANCE OF JOHN G. HARRIS, ESQUIRE AND DAVID B. ANTHONY, ESQUIRE OF BERGER HARRIS, LLC AS COUNSEL FOR ROBERT D. TERRY, ESQUIRE, RECEIVER FOR THE ESTATE OF DEFENDANT SUMMIT WEALTH MANAGEMENT, INC.	0.30
	JH SEVERAL E-MAILS TO/FROM S. PARKER; INTERNAL CONFERENCE REGARDING ENTRY OF APPEARANCE AND OTHER OPEN ITEMS.	0.20
10/31/2012	JH TELEPHONE CALL WITH S. PARKER REGARDING REQUEST FOR EXTENSION; FOLLOW-UP TELECONFERENCE WITH S. PARKER; E-MAILS TO/FROM S. PARKER. FOR CURRENT SERVICES RENDERED	<u>0.30</u> <u>15.20</u> <u>4,267.50</u>

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JOHN HARRIS	3.90	\$285.00	\$1,111.50
DAVID ANTHONY	11.00	285.00	3,135.00
MARSHA NICHOLLS	0.30	70.00	21.00

EXPENSES

10/31/2012	10/17/12 PHOTOCOPYING CHARGES	6.60
	TOTAL EXPENSES	<u>6.60</u>
	TOTAL CURRENT WORK	4,274.10
	BALANCE DUE	<u>\$4,274.10</u>

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1040 CROWN POINTE PARKWAY, STE 1050
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STATEMENT DATE: Nov. 30, 2012
STATEMENT NO. 4411
ACCOUNT NO. 99308.00
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS
11/01/2012	JH TELEPHONE CALL WITH PLAINTIFF'S COUNSEL; E-MAIL TO S. PARKER REGARDING SAME.	0.30
11/02/2012	JH SEVERAL E-MAILS TO/FROM PLAINTIFF'S COUNSEL REGARDING OPEN ISSUES; E-MAILS TO S. PARKER REGARDING SAME.	0.80
	DA PHONE CALL WITH STEVE PARKER AND BOB TERRY REGARDING FILING A MOTION TO STAY OR DISMISS DELAWARE CASE	0.40
11/03/2012	JH E-MAIL TO S. PARKER REGARDING STATUS.	0.20
11/05/2012	JH CONFER WITH D. ANTHONY REGARDING OMITTED COMPULSORY COUNTERCLAIMS; RESEARCH REGARDING SAME; TELEPHONE CALL WITH S. PARKER REGARDING SAME; E-MAILS TO/FROM S. PARKER.	1.30
	DA RESEARCHING STANDARD FOR FILING COMPULSORY COUNTERCLAIMS AFTER THE CLOSE OF PLEADINGS; WHETHER MOTION TO STAY SATISFIES RESPONSIVE PLEADING REQUIREMENTS	0.80
11/06/2012	JH REVIEW/REVISE DRAFT ANSWER/AFFIRMATIVE DEFENSES; CONFER WITH D. ANTHONY REGARDING SAME; E-MAILS TO/FROM S. PARKER.	1.80
	DA DRAFTING ANSWER AND AFFIRMATIVE DEFENSES	3.40

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TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

		HOURS	
11/07/2012	JH	MORE REVISIONS TO DRAFT ANSWER; CONFER WITH D. ANTHONY; SEVERAL EXTERNAL E-MAILS REGARDING OPEN ITEMS.	0.70
	DA	EDITING/ REVISING ANSWER AND AFFIRMATIVE DEFENSES; PREPARING SAME FOR FILING AND FILING SAME	0.50
11/08/2012	JH	SEVERAL EXTERNAL E-MAILS.	0.20
	DA	PHONE CALLS WITH PLAINTIFFS' COUNSEL REGARDING SERVICE OF PROCESS ON MR. ALLECA; DRAFTING EMAIL REGARDING SAME TO BOB TERRY; CONFERENCE CALL WITH BOB TERRY DISCUSSING SAME	0.70
11/15/2012	DA	PHONE CALL WITH STEVE PARKER REGARDING POTENTIAL DEFAULT JUDGMENT AGAINST MR. ALLECA AND SUMMIT WEALTH'S INSURANCE COVERAGE OF DISPUTE	0.20
11/19/2012	JH	INTERNAL COMMUNICATIONS REGARDING DEFAULT JUDGMENT MOTION.	0.20
	DA	REVIEWING PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT AGAINST MR. ALLECA; EMAILING SAME TO STEVE PARKER AND BOB TERRY	0.40
11/21/2012	JH	VOICE-MAIL FROM S. PARKER; TELEPHONE CALL WITH S. PARKER; E-MAILS TO/FROM S. PARKER REGARDING DEFAULT JUDGMENT.	0.40
11/23/2012	JH	E-MAILS TO/FROM S. PARKER REGARDING GROUNDS FOR MOTION TO STAY.	0.30
11/24/2012	JH	E-MAIL TO S. PARKER REGARDING ANTICIPATED STAY MOTION; E-MAIL TO OPPOSING COUNSEL REGARDING SAME.	0.30
11/26/2012	JH	REVIEW AND REVISE DRAFT NOTICE OF STAY AND OPPOSITION TO DEFAULT JUDGMENT MOTION; FINALIZE SAME PLUS COVER LETTER TO COURT.	0.50
	MN	FILE DEFENDANT SUMMIT WEALTH MANAGEMENT, INC.'S RESPONSE IN OPPOSITION TO PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT.	0.40
	MN	FILE LETTER FROM JOHN G. HARRIS, ESQUIRE TO THE HONORABLE DONALD F. PARSONS, JR. DATED NOVEMBER 26, 2012 ENCLOSING A COURTESY COPY OF RECEIVER, ROBERT E. TERRY'S NOTICE OF STAY ON BEHALF OF DEFENDANT SUMMIT WEALTH MANAGEMENT, INC.	0.30
	DA	DRAFTING NOTICE OF STAY, OPPOSITION TO MOTION FOR ENTRY OF DEFAULT JUDGMENT AND COVER LETTER TO THE COURT REGARDING SAME	2.40
11/28/2012	JH	REVIEW PLAINTIFFS' COUNSEL LETTER TO COURT DATED 11/28/12	

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TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

	HOURS	
DA	NOTICING OPPOSITION TO NOTICE OF STAY; CONFER WITH D. ANTHONY REGARDING SAME.	0.30
	REVIEWING LETTER FROM PLAINTIFFS' COUNSEL REGARDING OPPOSITION TO STAY; EMAILING SAME TO CO-COUNSEL	0.20
	FOR CURRENT SERVICES RENDERED	<u>17.00</u>
		<u>4,694.50</u>

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JOHN HARRIS	7.30	\$285.00	\$2,080.50
DAVID ANTHONY	9.00	285.00	2,565.00
MARSHA NICHOLLS	0.70	70.00	49.00

ADVANCES

11/19/2012	10/12 FILING FEES - LEXISNEXIS	22.00
11/19/2012	10/12 ONLINE DOCUMENT FEE - LEXISNEXIS	70.50
11/28/2012	10/12 INFORMATION CHARGES - WEST	<u>184.46</u>
	TOTAL ADVANCES	<u>276.96</u>
	TOTAL CURRENT WORK	<u>4,971.46</u>
	PREVIOUS BALANCE	<u>\$4,274.10</u>
	BALANCE DUE	<u><u>\$9,245.56</u></u>

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ROBERT D. TERRY, ESQUIRE
C/O STEPHEN PARKER/PAGE PERRY, LLC
1040 CROWN POINTE PARKWAY, STE 1050
ATLANTA, GA 30338

STATEMENT DATE: Dec. 31, 2012
STATEMENT NO. 4491
ACCOUNT NO. 99308.00
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS
12/11/2012	JH INTERNAL CONFERENCE REGARDING STATUS OF PLAINTIFF'S OBJECTION TO RECEIVER'S NOTICE OF STAY; E-MAIL TO S. PARKER.	0.20
12/12/2012	JH E-MAIL TO S. PARKER AND R. TERRY TRANSMITTING PLAINTIFF'S OPPOSITION TO NOTICE OF STAY.	0.30
12/17/2012	JH E-MAILS TO/FROM S. PARKER REGARDING REPLY IN FURTHER SUPPORT OF NOTICE OF STAY; NUMEROUS FOLLOW UP E-MAILS TO/FROM S. PARKER AND OPPONING COUNSEL REGARDING SAME.	0.60
12/18/2012	JH SEVERAL E-MAILS TO/FROM OPPONING COUNSEL AND S. PARKER REGARDING ORAL ARGUMENT ON RECEIVER'S NOTICE OF STAY.	0.40
12/19/2012	JH E-MAILS TO/FROM S. PARKER REGARDING ORAL ARGUMENT ON NOTICE STAY; E-MAILS TO/FROM OPPONING COUNSEL REGARDING SAME.	0.30
12/26/2012	JH SEVERAL E-MAILS TO OPPONING COUNSEL AND TRUSTEE REGARDING STAY ISSUE.	0.40
12/28/2012	JH E-MAILS TO/FROM D. EAGLE.	0.10

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TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

		HOURS
12/31/2012		
JH	DRAFTING REPLY IN FURTHER SUPPORT OF NOTICE OF STAY. FOR CURRENT SERVICES RENDERED	2.20 4.50 <hr/> 1,282.50

RECAPITULATION			
<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JOHN HARRIS	4.50	\$285.00	\$1,282.50

ADVANCES

12/19/2012	11/12 INFORMATION CHARGES - WEST	63.79
12/19/2012	11/12 FIING FEES - FILE & SERVEXPRESS	88.50
12/20/2012	11/26 DELIVER NOTICE TO STAY TO CHANCERY COURT - RELIABLE	5.00
	TOTAL ADVANCES	<hr/> 157.29
	TOTAL CURRENT WORK	1,439.79
	PREVIOUS BALANCE	\$9,245.56
	BALANCE DUE	<hr/> \$10,685.35

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STATEMENT DATE: Jan. 31, 2013
STATEMENT NO. 4587
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS
1/02/2013	JH CONTINUE PREPARING REPLY IN FURTHER SUPPORT OF NOTICE TO STAY; E-MAILS TO/FROM S. PARKER REGARDING STATUS OF SAME.	
	DA EDITING/REVISING REPLY TO PLAINTIFF'S OPPOSITION TO NOTICE OF STAY	1.30
		1.50
1/03/2013	JH REVIEW/REVISE DRAFT REPLY IN SUPPORT OF NOTICE OF STAY.	0.60
	DA EDITING/REVISING REPLY IN SUPPORT OF NOTICE OF STAY; PREPARING SAME FOR FILING	1.20
1/04/2013	JH REVIEW RECEIVER'S COMMENTS TO DRAFT REPLY IN SUPPORT OF NOTICE OF STAY; FURTHER REVISIONS TO SAME DRAFT; CONFER WITH D. ANTHONY REGARDING SAME; REVIEW S. PARKER'S FINAL COMMENT; E-NOTICE REGARDING SCHEDULING OF ORAL ARGUMENT.	
	MN FILE DEFENDANT SUMMIT WEALTH MANAGEMENT, INC'S REPLY IN SUPPORT OF NOTICE OF STAY WITH SUPPORTING DOCUMENTS.	1.80
		0.40
1/07/2013	JH CONFER WITH D. ANTHONY REGARDING PREP FOR ORAL ARGUMENT ON DEFAULT MOTION AND NOTICE OF STAY; E-MAILS TO/FROM PLAINTIFFS' COUNSEL REGARDING SCHEDULING.	
	DA DRAFTING OUTLINE IN PREPARATION OF ORAL ARGUMENT ON PLAINTIFF'S MOTION TO SEEK RELIEF FROM STAY	0.60
		1.50
1/08/2013	JH CONFER WITH D. ANTHONY IN FURTHER PREPARATION FOR	

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HOURS

TODAY'S ORAL ARGUMENT; ATTEND SAME ORAL ARGUMENT;
ATTEND SAME ORAL ARGUMENT; CONFER WITH PLAINTIFFS'
COUNSEL FOLLOWING ORAL ARGUMENT. 2.20
DA PREPARING FOR AND ATTENDING ORAL ARGUMENT ON
PLAINTIFFS MOTION FOR RELIEF FROM STAY; DRAFTING EMAIL TO
CO-COUNSEL REGARDING SAME 2.30

1/17/2013

JH SEVERAL E-MAILS TO/FROM S. PARKER AND COURT REPORTER
REGARDING TRANSCRIPT.

0.30

1/30/2013

DA REVIEWING STATUS OF COMPANION CASE AND EMAILING
CO-COUNSEL REGARDING SAME
FOR CURRENT SERVICES RENDERED

0.40

14.10

3,932.50

RECAPITULATION

TIMEKEEPER	HOURS	RATE	TOTAL
JOHN HARRIS	6.80	\$285.00	\$1,938.00
DAVID ANTHONY	6.90	285.00	1,966.50
MARSHA NICHOLLS	0.40	70.00	28.00

ADVANCES

1/10/2013	MOTION FEES - REGISTER IN CHANCERY	75.00
1/28/2013	4th QTR '12 STATUTORY FILING FEES - FILE SERVEXPRESS	74.00
1/28/2013	4th QTR 2012 COURT ELECTRONIC RECORDS - PACER	16.50
1/28/2013	DELIVER DEFENDANT'S REPLY RE: NOTICE TO STAY - RELIABLE	10.00
1/28/2013	HAND DELIVERY OF COPIES OF FILINGS TO VC PARSONS - RELIABLE	5.00
	TOTAL ADVANCES	<u>180.50</u>
	TOTAL CURRENT WORK	4,113.00
	PREVIOUS BALANCE	\$10,685.35
	BALANCE DUE	<u>\$14,798.35</u>

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1040 CROWN POINTE PARKWAY, STE 1050
ATLANTA, GA 30338

STATEMENT DATE: Feb. 28, 2013
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

FEES

		HOURS	
02/21/2013	JH E-MAILS TO/FROM D. EAGLE REGARDING REQUESTED 3RD PARTY DISCOVERY; E-MAIL TO CO-COUNSEL REGARDING SAME.	0.30	
02/26/2013	JH E-MAIL TO S. PARKER FOLLOWING UP ON OPPOSING COUNSEL'S REQUEST FOR 3RD PARTY DISCOVERY; SEVERAL FOLLOW-UP E-MAILS TO/FROM CO-COUNSEL AND OPPOSING COUNSEL.	0.40	
02/27/2013	JH TELEPHONE CALL WITH CO-COUNSELING AND OPPOSING COUNSEL REGARDING TOLL'S REQUEST FOR 3RD PARTY DISCOVERY FROM RECEIVER-SHIP; E-MAILS TO/FROM RECEIVER.	0.60	
02/28/2013	JH TELEPHONE CALL WITH RECEIVER, RECEIVER'S COUNSEL AND TOLL'S COUNSEL REGARDING 3RD PARTY DISCOVERY. FOR CURRENT SERVICES RENDERED	0.50 1.80	<u>513.00</u>

TIMEKEEPER	RECAPITULATION		
	HOURS	RATE	TOTAL
JOHN HARRIS	1.80	\$285.00	\$513.00

ADVANCES

02/21/2013	1/13 FILING FEES - FILE & SERVEXPRESS	23.00
02/25/2013	1/13 INFORMATION CHARGES - WEST	383.05
	TOTAL ADVANCES	<u>406.05</u>

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TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

TOTAL CURRENT WORK	919.05
PREVIOUS BALANCE	\$14,798.35
BALANCE DUE	<u>\$15,717.40</u>

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C/O STEPHEN PARKER/PAGE PERRY, LLC
1040 CROWN POINTE PARKWAY, STE 1050
ATLANTA, GA 30338

STATEMENT DATE: Mar. 31, 2013
STATEMENT NO. 4863
ACCOUNT NO. 99308.00
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

PREVIOUS BALANCE	\$15,717.40
<u>ADVANCES</u>	
03/26/2013	2/27 TELECONFERENCE - PREMIERE GLOBAL SERVICES 5.55
	TOTAL ADVANCES 5.55
	TOTAL CURRENT WORK 5.55
BALANCE DUE	<u>\$15,722.95</u>

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ROBERT D. TERRY, ESQUIRE
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1040 CROWN POINTE PARKWAY, STE 1050
ATLANTA, GA 30338

STATEMENT DATE: Apr. 30, 2013
STATEMENT NO. 4960
ACCOUNT NO. 99308.00
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RE: TOLL AND TOPIKIS v. ALLECA AND SUMMIT WEALTH

PREVIOUS BALANCE	\$15,722.95
<u>ADVANCES</u>	
04/24/2013	1ST QTR '13 STATUTORY FILING FEES - FILE SERVEXPRESS 30.00
	TOTAL ADVANCES 30.00
	TOTAL CURRENT WORK 30.00
BALANCE DUE	<u>\$15,752.95</u>